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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*,

Debtors.

**WALTERS, BENDER,
STROHBEHN & VAUGHAN**

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Chapter 11

Case No. 12-12020 (MG)

(Jointly Administered)

**THE KESSLER SETTLEMENT CLASS' JOINDER IN DEBTORS' OPPOSITION TO
PNC BANK, N.A.'S REQUEST FOR JUDICIAL NOTICE**

The Named Plaintiffs in the Kessler Settlement Class in the above-captioned chapter 11 cases, by and through their counsel, hereby joins in the *Debtors' Opposition to PNC Bank, N.A.'s Request for Judicial Notice*, filed on November 15, 2013 [Dkt. No. 5792] (the "Opposition"). The Kessler Settlement Class joins in and adopts all arguments made by the Debtors in the Opposition. As asserted in the Opposition, PNC's request that this Court take judicial notice of selected excerpts from eight documents PNC originally attached to its Supplemental Memorandum is improper and untimely. PNC's request should be denied because the documents excerpted by PNC are irrelevant to PNC's Limited Objection that erroneously

requests a specific judgment credit methodology in the absence of any bar order or other prejudice and irrelevant to PNC's lack of standing to object in the first place. Furthermore, PNC has failed state a proper purpose for its requested judicial notice, and PNC's request is untimely in any event because it was filed well after the October 23, 2013 deadline to object expired.

For all of these reasons as more fully set forth in the Debtors' Opposition, PNC's request for judicial notice should be denied.

Dated: November 18, 2013

/s/ Daniel J. Flanigan

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